

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

TONY KOLE, *et al.*,

Plaintiffs,

v.

VILLAGE OF NORRIDGE,

Defendant.

No. 11-CV-03871

Hon. Judge Thomas M. Durkin
U.S. District Judge

Hon. Morton Denlow
U.S. Magistrate Judge

DEFENDANT'S MOTION FOR LEAVE TO FILE OVERSIZED BRIEF

NOW COMES Defendant, by its counsel, and moves this Court for leave to file an oversized brief in support of its Motion to Dismiss, *instanter*, and in support of that motion, states the following:

1. Plaintiffs have filed a seven-count Second Amended Complaint challenging various actions of the Village in connection with Plaintiffs' application for a license to operate a firearms sales business in the Village of Norridge.

2. Plaintiffs' Second Amended Complaint itself consists of 17 pages, without exhibits. It raises seven separate counts, alleging violations of four constitutional provisions, and seeking a declaratory judgment as to 11 state constitutional provisions, in addition to injunctive relief and money damages against the Village.

3. Defendants have filed a Motion to Dismiss, and seek to file a memorandum in support addressing each of the Plaintiffs' claims, including the developing law on the extent to which Plaintiffs have a Second Amendment right to operate a firearms sales business.

4. Because of the length of the Plaintiffs' Second Amended Complaint, the numerous issues and claims raised in that Second Amended Complaint, and the in-depth

discussion and analysis needed to address those claims, Defendant needs to file an oversized brief to adequately respond to the Second Amended Complaint. Defendant's proposed 22-page Memorandum of Law in Support of its Motion to Dismiss is attached hereto as *Exhibit A*.

WHEREFORE, Defendants pray that this Court grant leave to file an oversized Memorandum of Law in Support of Defendant's Motion to Dismiss Plaintiffs' Second Amended Complaint, *instanter*.

/s/ Thomas G. DiCianni

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